

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JONATHAN LEE RICHES,

Petitioner, : Case No. 3:08-cv-235
-vs- : District Judge Thomas M. Rose
Chief Magistrate Judge Michael R. Merz

ARN TELLEM, et al.,

Respondents.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 2), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on July 24, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition herein be dismissed without prejudice for failure to state a claim upon which habeas corpus relief can be granted and for lack of territorial jurisdiction over the Respondent.

August 6, 2008.

***S/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge